

**CHESAPEAKE BAY LOCAL ASSISTANCE BOARD**

**December 10, 2001**

**RESOLUTION**

**ADOPTION OF AMENDMENTS TO PERMANENT REGULATIONS**

WHEREAS the Chesapeake Bay Local Assistance Board published a Notice of Intended Regulatory Action in the *Virginia Register of Regulations* on May 27, 1996 to initiate the process of considering amending the *Chesapeake Bay Preservation Area Designation and Management Regulations* (9 VAC 10-20); and

WHEREAS the Board's Regulation Review Committee, Regulation Development Advisory Committee and the Chesapeake Bay Local Assistance Department staff met together from October 1996 through May 1997 to consider public comments, discuss needed changes, and develop an initial draft of proposed regulation amendments; and

WHEREAS the Board submitted the draft proposed amendments to the Department of Planning and Budget for its required economic impact analysis and to the Administration for its review; and

WHEREAS the proposed regulation amendments were published in the *Virginia Register of Regulations* on October 9, 2000 inviting further public comments until 4:00 p.m. December 8, 2000; and

WHEREAS the Board and Department staff have reviewed and considered the public comments submitted, met with stakeholders as requested, and developed further revisions of the regulation language in response to the public comment submitted; and

WHEREAS the Board subsequently published a General Notice in the *Virginia Register of Regulations* on July 30, 2001 inviting further public comments until 4:00 p.m. August 30, 2001; and

WHEREAS the Board and Department staff have reviewed and discussed the public comments submitted and have agreed on appropriate revisions of the proposed amendments that are responsive to the public comments while maintaining consistency with objectives of the Chesapeake Bay Preservation Act and Regulations; and

WHEREAS the Department staff has recommended that the full Board adopt the amendments as revised; now

THEREFORE, BE IT RESOLVED that amendments to the Chesapeake Bay Local Assistance Board Final Regulations *Chesapeake Bay Preservation Area Designation and Management Regulations* (9 VAC 10-20), as set forth on the attached copy of the regulations, be adopted as Permanent Regulations that will supersede the currently effective regulations of the same title and shall become effective on March 1, 2002 or as soon thereafter as is practicable; and

THEREFORE BE IT FURTHER RESOLVED that the Department is authorized to publish these adopted amendments in the *Virginia Register of Regulations* as final regulations, pursuant to the requirements of the Administrative Process Act; and

THEREFORE BE IT FURTHER RESOLVED that all Tidewater Virginia local governments subject to the Chesapeake Bay Preservation Act shall revise their local land use ordinances and regulations, as necessary, no later than one year following the actual effective date of these regulations to make them consistent with the regulations as amended this day; and

THEREFORE BE IT FURTHER RESOLVED that the staff of the Chesapeake Bay Local Assistance Department shall provide appropriate guidance and assistance to Tidewater Virginia local governments in their efforts to revise their local ordinances and programs by the established deadline.

The Director of the Chesapeake Bay Local Assistance Department certifies that this resolution was adopted in open session on December 10, 2001 by the Chesapeake Bay Local Assistance Board.

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Michael D. Clower  
Executive Director  
Chesapeake Bay Local Assistance Department